

Proposer / Bidder Registration Form

It is the Bidder's responsibility to make certain they have received any/all addenda relating to their bid / proposal prior to the bid opening date. If you are downloading a bid we strongly encourage you to notify the City of Beverly Purchasing Department at dgelineau@beverlyma.gov and provide us with the following information. In the event any addenda is issued it will be sent to all bidders who have provided the City with this information.

Request for Proposal or Invitation for Bid Number: _____

Contact Name:

Company Name:

Address:

City/Town:

State:

Zip Code:

Phone:

Fax:

Cell:

Email:



**CITY OF BEVERLY
ON BEHALF OF THE
COMMUNITIES OF
BEVERLY, EVERETT AND STONEHAM**

10-007

**REQUEST FOR PROPOSALS
FOR
OBRA ADMINISTRATION SERVICES**

**PROPOSALS DUE:
THURSDAY JUNE 3, 2010 @ 11:00 A.M.**

at the office of Finance Director John Dunn
Beverly City Hall
191 Cabot Street, Beverly, Massachusetts 01915

May 10, 2010

The cities of Beverly and Everett and the town of Stoneham have formed a consortium for the purpose of conducting a common bid to solicit proposals for firms interested in providing administrative and record keeping services; education and communication services; group and individual investment advice service and access to investment products for its IRC 457 OBRA Plan (FICA Alternative Plan).

In order for the proposals to be considered by The Consortium, each prospective provider must respond to the Request for Proposals by submitting an original of its proposal and five (5) copies by **11:00 AM on June 3, 2010** to:

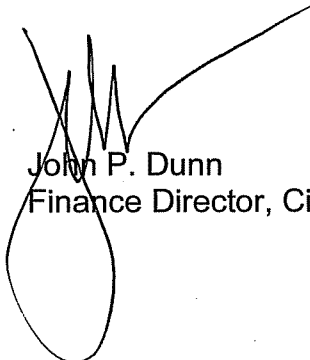
John P. Dunn
Finance Director, City of Beverly
191 Cabot Street
Beverly, MA 019015

Copies of this RFP may be obtained for \$25.00 by contacting the City's Purchasing Department at (978) 921-6000, extension 2350 or by visiting City Hall at 191 Cabot Street during normal City Hall business hours (Monday through Wednesday, 8:30 a.m. to 4:30 p.m.; Thursday, 8:30 a.m. to 7:30 p.m.; Friday, 8:30 a.m. to 1:00 p.m.).

The RFP may be downloaded at no charge from the City's web site (www.beverlyma.gov). However, only those proposers who submit the Proposer Registration Form (available on line) to the City's Purchasing Agent will be considered official RFP holders and only official RFP holders will be notified of any addenda.

We appreciate the time and effort required to respond to this RFP. We thank you in advance for your participation and we look forward to your response.

Sincerely,



John P. Dunn
Finance Director, City of Beverly

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I. Introduction

The cities of Beverly and Everett and the town of Stoneham have formed a consortium (The Consortium) for the purpose of conducting a common Request for Proposals ("RFP") to solicit proposals from firms interested in providing administrative and record keeping services; education and communication services; group and individual assistance to plan participants with investment selection and access to investment products for its IRC 457 OBRA Plan (FICA Alternative Plan).

II. Background Information

Employee and plan information:

	<u>City of Beverly</u>	<u>City of Everett</u>	<u>Town of Stoneham</u>
Participants	1700	814	85
OBRA Assets	\$1,545,000	\$1,300,000	\$41,500
Annual Flow	\$110,000	\$106,000	\$40,000

III. Scope of Service

The purpose of this RFP is to select a single provider for the OBRA (FICA Alternative) plan for the two cities and one town that comprise the consortium.

The scope of services shall include, but not be limited to, the following:

Administrative and Record Keeping services:

- Make available easy to understand standard administrative forms.
- Provide plan participant information packets.
- Maintain records of deposits, withdrawals and account balances for individual participants.
- Issue payment checks and perform all required tax withholding and reporting for lump sum payment distributions and systematic withdrawals.
- Issue annual statements to plan participants.
- Provide communication access via voice response system and internet.

Investment Options:

- Offer a variety of participant investment Options.
- Such Options should provide proven above average historic returns
- Such Options should carry above average industry rankings

Communication and Education Services:

- Design and implement a communication/education program.
- Publicize the Plan and interact with participants.
- Communicate Plan provisions.
- Develop and print all plan communication and education materials.

Personal Individual Participant Services:

- Make available a company representative to meet with plan participants on a one-on-one basis to provide assistance with investment selection and other account services.

IV. Proposal Specifications:

A. Proposal Deadline.

The completed proposal, which must include all attachments, must be delivered by **11:00 AM, June 3, 2010** (the "Proposal Deadline"). Any proposal delivered after the Proposal Deadline will not be considered. Faxed or e-mailed transmissions are **NOT** acceptable. Please mail with ample time or hand deliver. The original and 5 of copies of the Proposal are to be sent to the attention of:

John P. Dunn
Finance Director, City of Beverly
191 Cabot Street
Beverly, MA 019015

B. Required Attachments and Enclosures.

In addition to the responses to the RFP questions, the following information must be attached to the firm's response:

1. Cover Letter. The Proposal must be accompanied by an original cover letter, which will be considered an integral part of the Proposal, and which shall be signed by at least one individual who is authorized to bind the firm contractually. This cover letter must include: (a) the firm name, address, telephone/fax numbers, and e-mail address; (b) the client contact; (c) the title or position which the signer of the cover letter holds in the firm; and (d) a statement to the effect that the Proposal is a firm and irrevocable offer of the firm.
2. Representations and Warranties. The following warrant statements signed by an authorized officer of the Proposer, must be included as an attachment to the cover letter referenced in (1) above.

a. Proposer warrants that it maintains an errors and omissions insurance policy providing a prudent amount of coverage for negligent acts or omissions and that such coverage will be applicable to proposer's actions under the Contract.

b. Proposer warrants that it will not delegate its fiduciary responsibilities assumed under the Contract.

c. Proposer warrants that it has completed, obtained, and performed all registrations, filings, approvals, authorizations, consents or examinations required by a government or governmental authority for acts contemplated by the Contract.

d. Neither any award of this RFP nor any interest in any award of this RFP may be subcontracted, assigned, transferred or encumbered by any party without the prior written consent of the Consortium. This includes change of investment product provider, plan administrator and trustee.

e. Proposer agrees to indemnify, hold harmless and defend Consortium, its agents, servants and employees from any and all claims, judgments, costs and expenses including, but not limited to, reasonable attorney's fees, reasonable investigative and discovery costs, court costs and all other sums which Consortium, its agents, servants and employees may pay or become obligated to pay on account of any, all and every claim or demand, or assertion of liability, or any claim or action founded thereon, arising or alleged to have arisen out of the products, goods or services furnished by the Vendor, its agents, servants or employees; the equipment of the Vendor, its agents, servants or employees while such equipment is on premises owned or controlled by Consortium; or the negligence of Vendor or the negligence of Vendor's agents when acting within the scope of their employment, whether such claims, judgments, costs and expenses be for damages, damage to property including Consortium's property, and injury or death of any person whether employed by the Vendor, Consortium or otherwise.

3. Forms and agreements. Respondents must submit as attachments to the RFP copies of the following:
- Sample participant education material
 - Sample participant investment election/beneficiary form
 - Sample participant statement
 - Sample distribution form

4. Any additional material must be submitted separate from the response.

C. Withdrawal/Irrevocability of responses.

A proposer may withdraw and resubmit a Proposal prior to the Proposal Deadline. No withdrawals or re-submissions will be allowed after the Proposal Deadline.

C. Contract Term.

The purpose of this RFP is to establish a contract beginning July 1, 2010, or date of award, and continuing through June 30, 2013. The term of the contract may, by mutual agreement between the Consortium and the selected proposer, be extended for one (1) additional three (3) year period and, if needed 90 days beyond the expiration date of the final renewal period.

E. Communication with the Consortium.

The Consortium's primary contact for this RFP is:

John P. Dunn
Finance Director/Treasurer
City of Beverly
191 Cabot Street
Beverly, MA 019015
Phone: 978-605-2315
Fax: 978-921-6195
E-mail: jdunn@beverlyma.gov

Firms which intend to submit a Proposal should not contact any of the consortium's staff. An exception to this rule applies to firms which currently do business with the Consortium but any contact made by such firms with persons other than the designated contact person must be limited to that business, and must not relate to this RFP.

FAILURE TO OBSERVE THIS RULE IS GROUNDS FOR DISQUALIFICATION.

F. Questions Relating to this RFP.

All questions concerning this RFP must be received by the contact person by May 22, 2010 (the "question deadline") in writing, by facsimile or by e-mail. Questions received in accordance with this section will be answered and circulated by facsimile to all firms who have proposed a question or who request in writing a copy of the questions and the responses. Questions submitted after the Question Deadline will not be considered.

G. Incurring Costs.

The Consortium will not be liable for any costs incurred prior to entering into the contract with the successful proposer.

H. Rejection of Proposals.

The Consortium reserves the right to reject any non-qualifying Proposal, as well as the right to reject all Proposals submitted under this Request for Proposal.

V. Selection Process

The Selection Process under this RFP will be as follows:

A. Non-Qualifying Proposals.

All Proposals must include the Required Attachments and Enclosures described in Part IV – B and meet the minimum criteria in Part VII otherwise they will be deemed Non-Qualifying. All non-qualifying Proposals not subject to the waiver/cure of minor information will be rejected at this time and the proposing firm so notified.

B. Selection of Proposer

The Proposals will be evaluated by a selection committee consisting of a representative of each of the participating communities. Proposers may be invited to a due diligence interview with the Selection Committee. Based on the selection criteria set forth in Section VIII of this RFP, the Selection Committee will select a Proposer to serve as the provider to the Consortium. The Selection Committee reserves the right to perform reference checks based on information provided in individual proposals or from information derived from any other source. The winning Proposer will be notified by the Consortium and engagements will be awarded by the Treasurer of each community participating in the Consortium.

VI. Tentative Time Table

The following is the tentative time schedule for the Consortium's selection process. All dates are subject to modification by the Consortium with notice.

Issuance of RFP:	May 10, 2010
RFP Questions Deadline:	May 22, 2010
RFP Response Deadline:	June 3, 2010
Selection Committee Decision:	June 10, 2010

VII. Minimum Criteria.

Firms submitting proposals must meet the following minimum criteria and provide supporting documentation to verify such:

1. Proposers must be licensed, certified and engaged in the business of providing OBRA (FICA Alternative) Plans.
2. As of December 31, 2009, Proposers must have provided record-keeping administration, investment and trust services to governmental entity OBRA plans for at least five years and be serving over 10,000 enrollees. Please provide detailed information with contact names, addresses and telephone numbers to support this criterion
3. Proposers must offer a fixed investment product, mutual funds and investment advice for its OBRA plan and its plan participants.

VIII. Selection Criteria.

The Selection Committee will apply the following criteria to the selection of the provider. The Selection Committee will assign a rating of either "Highly Advantageous", "Advantageous", "Disadvantageous" or "Unacceptable" to all qualifying Proposals in each of the categories listed below. Any Proposal receiving a rating of "Unacceptable" in any criterion will not be considered further.

A. Basic Selection Criteria Applicable to all Proposing Firms

1. Investment Products

Please identify the numbers and types of investment products you would make available to participants. Provide information as to industry rankings of such investments as well as information on annualized returns for 1, 3, 5 and 10 year (or since inception) periods.

Highly Advantageous: A wide variety of investment products with excellent industry rankings and superior market returns.

Advantageous: A good variety of investment products with good industry rankings and good market returns.

Disadvantageous: A limited variety of investment products with below average industry rankings and market returns.

Unacceptable: No information provided

2. Distribution Options

Please identify the types of distribution options you would make available to participants upon termination or retirement from the plan.

In particular please note if distributions can be transferred to Employer Sponsored Retirement Systems

Highly Advantageous: Three or more options.

Advantageous: Two Options

Disadvantageous: One option.

3. Administration and Recordkeeping

Please provide information on your recordkeeping and administration capabilities. Provide specific information regarding contact for daily administrative needs, information available to participants (paper and electronic), education and communication with participants and employer, methods and timing of participant initiated withdrawals, options of employer data transmission, timing of credits to participants accounts and data security of participant information.

Highly Advantageous: A comprehensive program to provide excellent service in all areas required.

Advantageous: A comprehensive program to provide good service in all areas required.

Disadvantageous: A comprehensive program to provide average service in all areas required.

Unacceptable: No information provided

4. Participant Education

Please describe the method and manner in which you will provide education and guidance to participants to assure that they are fully apprised of their investment options and all other aspects of the plan.

Highly Advantageous: A comprehensive program to provide an excellent level of participant education.

Advantageous: A comprehensive program to provide an acceptable level of participant education.

Disadvantageous: A less than comprehensive program to provide a minimally acceptable level of participant education

Unacceptable: No information provided

5. Fees

Please describe the type and amount (in either dollar or percentage terms) of any and all fees that might be charged to either the employer or the participant in any program or service that might be offered or required as part of your Proposal.

Highly Advantageous: There are **no** fees of any kind charged to the employer and limited, below market fees assessed to the participants.

Advantageous: There are **no** fees of any kind charged to the employer and market rate fees assessed to the participants.

Disadvantageous: There are **no** fees of any kind charged to the employer and above market rate fees assessed to the participants,

Unacceptable: There are fees charged to the employer and above market rate fees assessed to the participants.

IX. SIGNATURE

The individual who is responsible for the submission of this material must sign and date the response below. Any proposal that is not signed and dated will not be considered a complete proposal and will not be evaluated.

Name of Firm _____

Date _____

Signature _____

Title _____

PROPOSAL CERTIFICATION

Complete this page by signing in the space below and return with proposal.

As required under Chapter 233 and 701 of the Mass. Acts and Resolves of 1983 and Chapter 30B of Massachusetts General Laws, when returning the City's solicitation documents, certification must be made to the following by signing in the space indicated below.

Failure to offer such signature will result in rejection of the proposal.

1. *"The undersigned certifies under the penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word person shall mean any natural person, business, partnership, corporation, union, committee, club or their organization, entity, or group or individuals" and,*
2. *"Pursuant to M.G.L. c.62C, §49A, I hereby certify, under penalties of perjury that to my best knowledge and belief the undersigned bidder has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support."*

This proposal is submitted by:

(Complete name of firm to be given here)

Signature: _____

Contact Person: _____

Business Address: _____

Telephone: _____ Employer I.D. #: _____

Email: _____